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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/746,732	12/21/2000	Waldemar Kiener	(K) 54 039	6906
7590 10/02/2003				
M. Robert Kestenbaum 11011 Bermuda Dunes NE Albuquerque, NM 87111		EXAMINER GOFF II, JOHN L.		
		ART UNIT PAPER NUMBER		
		1733		
DATE MAILED: 10/02/2003				

Please find below and/or attached an Office communication concerning this application or proceeding.

Advisory Action

Application No.

09/746,732

Applicant(s)

KIENER ET AL.

Examiner

John L. Goff

Art Unit

1733

--Th MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 02 September 2003 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. Therefore, further action by the applicant is required to avoid abandonment of this application. A proper reply to a final rejection under 37 CFR 1.113 may only be either: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114.

PERIOD FOR REPLY [check either a) or b)]

- a) ☒ The period for reply expires 3 months from the mailing date of the final rejection.
- b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection. ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

1. ☐ A Notice of Appeal was filed on _____. Appellant's Brief must be filed within the period set forth in 37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal.
2. ☒ The proposed amendment(s) will not be entered because:
- (a) ☒ they raise new issues that would require further consideration and/or search (see NOTE below);
 - (b) ☐ they raise the issue of new matter (see Note below);
 - (c) ☐ they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
 - (d) ☐ they present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: See Continuation Sheet.

3. ☐ Applicant's reply has overcome the following rejection(s): _____.
4. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
5. ☒ The a) ☐ affidavit, b) ☐ exhibit, or c) ☒ request for reconsideration has been considered but does NOT place the application in condition for allowance because: See Continuation Sheet.
6. ☐ The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.
7. ☒ For purposes of Appeal, the proposed amendment(s) a) ☒ will not be entered or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

The status of the claim(s) is (or will be) as follows:

Claim(s) allowed: _____.

Claim(s) objected to: _____.

Claim(s) rejected: 1-12.


Claim(s) withdrawn from consideration: 13-24.

8. ☐ The proposed drawing correction filed on _____ is a) ☐ approved or b) ☐ disapproved by the Examiner.
9. ☐ Note the attached Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____.
10. ☐ Other: _____.

Continuation of 2. NOTE: It is noted the amendment submitted 9/2/03 (along with a substitute specification) will not be entered. Further, the amendment submitted 9/4/03 will not be entered. However, the amendment submitted on 9/4/03 would be entered but for the following new 35 USC 112 issues: In claim 1, lines 14 and 15 the phrase "and at least one supporting film (23) on the side of the at least one polymer film (17) is delaminated of the laminate (44)" is unclear and confusing. It is suggested to delete "of the laminate (44)".

Continuation of 5. does NOT place the application in condition for allowance because: Applicant argues there is no motivation or suggestion to combine Neuhaus and Ueda. It is noted Neuhaus discloses a method for forming tamperproof documents by laminating a substrate on one or both sides of a polymer film wherein the substrate is adhered to the film by a uv curable adhesive. Neuhaus is silent as to the film having a protective film on one or both sides that is removed prior to bonding with the substrates. However, it is well known in the art to protect a polymer film with a removable protective film prior to its application to a substrate as shown for example by the admitted prior art and Ueda (the admitted prior art and Ueda are cited only for this teaching), and it would have been obvious to one of ordinary skill in the art to use as the polymer film taught by Neuhaus a polymer film having a protective film on its surfaces to ensure the polymer film is not damaged prior to its application in the method for forming tamperproof documents.

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